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~~RCE~~

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|  <p>REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL</p> <p>Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995. See The American Inventors Protection Act of 1999 (AIPA).</p> | <i>Application Number</i> | 09/877,169 |
| | <i>Filing Date</i> | June 8, 2001 |
| | <i>Examiner Name</i> | Regina M. DeBerry |
| | <i>First Named Inventor</i> | Clemens A. van Blitterswijk |
| | <i>Group Art Unit</i> | 1647 |
| | <i>Attorney Docket Number</i> | 04148-00012 |

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. **Submission required under 37 C.F.R. § 1.114**

a. ☐ Previously submitted

i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on ____
(Any unentered amendment(s) referred to above will be entered).

ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on ____

iii. ☐ Other ____

b. **Enclosed**

i. ☒ Amendment/Reply

ii. ☐ Affidavit(s)/Declaration(s)

iii. ☒ Information Disclosure Statement (IDS)

iv. ☒ Other Copy of 1 reference

2. **Miscellaneous**

a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of ____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) **required**)

b. ☐ Other ____

3. **Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 19-0733


i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)

ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)

iii. ☐ Other ____

b. ☐ Check in the amount of \$ ____ enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED | | | |
|---|---|-----------------------------------|----------------|
| Name (Print /Type) | Judith Stone-Hulslander | Registration No. (Attorney/Agent) | 55,652 |
| Signature |  | Date | Sept. 29, 2004 |

| | | | |
|--|---------------------------|-------------|------------------------------|
| <p align="center">CERTIFICATE OF MAILING OR TRANSMISSION</p> | | | |
| <p>I hereby certify that this correspondence is being deposited with the United States Postal Service by Express Mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on:</p> | | | |
| <p>Name (Print /Type)</p> | <p>Laurie Hall</p> | | |
| <p>Signature</p> | <p><i>Laurie Hall</i></p> | <p>Date</p> | <p><i>Sept. 29, 2004</i></p> |

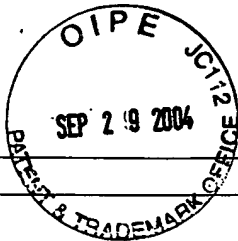
Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Commissioner for Patents, Mail Stop RCE, P.O. Box 1450, Alexandria, VA 22313-1450.**

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ATTORNEY DOCKET NO. 04148-00012

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| In re Application of: |) | |
| |) | |
| Clemens A. van Blitterswijk, |) | Examiner: |
| Joost Dick de Bruijn, and |) | |
| Yvonne Pearl Bovell |) | Regina M. DeBerry |
| |) | |
| Serial No.: 09/877,169 |) | Art Unit: 1647 |
| |) | |
| Filed: June 8, 2001 |) | |
| |) | |
| Title: METHOD FOR <i>IN VITRO</i> PRODUCTION |) | |
| OF BONE |) | |

Commissioner for Patents
Mail Stop RCE
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT AND RESPONSE TO FINAL OFFICE ACTION

Dear Sir:

This is in response to the Final Office Action mailed June 29, 2004. Kindly amend the above-referenced application as follows. Applicants are also filing concurrently herewith a Request for Continued Examination.

Amendments to the claims are reflected in the claim listing, which begins on page 2 of this paper.

Remarks begin on page 4 of this paper.